

HOUSE BILL REPORT

HB 1108

As Amended by the Senate

Title: An act relating to limitations for vehicles passing pedestrians or bicyclists.

Brief Description: Providing additional limitations for vehicles passing pedestrians or bicyclists.

Sponsors: By Representatives Grant, Walsh, Wallace, Rodne, Wood, Morrell, Lovick, Williams, Jarrett, Kilmer, Simpson, Kessler, Chase and Dickerson.

Brief History:

Committee Activity:

Transportation: 2/28/05, 3/5/05 [DP].

Floor Activity:

Passed House: 3/10/05, 95-0.

Senate Amended.

Passed Senate: 4/5/05, 45-1.

Brief Summary of Bill

- Modifies statutes governing vehicles passing bicyclists or pedestrians.

HOUSE COMMITTEE ON TRANSPORTATION

Majority Report: Do pass. Signed by 25 members: Representatives Murray, Chair; Wallace, Vice Chair; Woods, Ranking Minority Member; Skinner, Assistant Ranking Minority Member; Appleton, Buck, Campbell, Curtis, Dickerson, Ericksen, Hankins, Hudgins, Jarrett, Kilmer, Lovick, Morris, Nixon, Rodne, Sells, Shabro, Simpson, B. Sullivan, Takko, Upthegrove and Wood.

Staff: David Munnecke (786-7315).

Background:

Currently, when a vehicle overtakes and passes another vehicle, the passing vehicle must pass to the left at a safe distance and is prohibited from returning to the right side of the roadway until safely clear of the overtaken vehicle.

Vehicles are forbidden from driving on the left side of the roadway, from the driver's perspective, when: (1) approaching or upon the crest of a grade where the driver's view is obstructed; (2) within 100 feet of an intersection or railroad crossing; (3) the view is obstructed upon approaching within 100 feet of a bridge, viaduct or tunnel; or (4) the left side

is not clearly visible and free of oncoming traffic for a sufficient distance to permit overtaking and passing without interfering with oncoming traffic.

Summary of Bill:

The driver of a vehicle passing a pedestrian or bicyclist on the right shoulder of the roadway, from the perspective of the driver, must pass at a safe distance to the left. In determining a safe distance, the driver must take into account a variety of considerations including the width and condition of the shoulder and roadway, the age and condition of the pedestrian or bicyclist, the weather, and the time of day. The driver must also be safely clear of the overtaken pedestrian or bicyclist before returning to their original position on the roadway.

The driver of a vehicle may also not drive on the left side of the roadway, from the perspective of the driver, when doing so would put the vehicle within a hazardous distance of a bicyclist or pedestrian who is within view and approaching from the opposite direction.

EFFECT OF SENATE AMENDMENT(S):

Removes the considerations to be taken into account when determining a safe passing distance and simply requires a safe distance when passing.

Broadens the applicability of the statutes governing passing by vehicles to include all traffic being passed rather than solely vehicles.

Clarifies that the nothing in the language of the statutes governing passing by vehicles relieves pedestrians or bicyclists of their legal duties while traveling on public highways.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Testimony For: This bill is an important matter of traffic safety. It establishes the principle that a driver's responsibility extends to everyone on the road. This must be made clear since it will increase everyone's safety. This bill expands definitions, implements further restrictions, and increases awareness. It closes gaps in the current passing statutes. Tragic experiences have lead to the introduction of this bill, and it will insure that people look for pedestrians and bicyclists before passing. The necessity of sharing the road is an important message that must be sent.

Testimony Against: None.

Persons Testifying: Debbie Toews; Cherie Tessier; Barbara Culp, Bicycle Alliance of Washington; and Doug MacDonald, Washington State Department of Transportation.

Persons Signed In To Testify But Not Testifying: None.